

507 S. Ussery Street  
Dothan, Al 36301

RECEIVED

2006 AUG 28 P 2:14

EDWARD HACKETT, CLK  
U.S. DISTRICT COURT  
MONTGOMERY, AL

1:06 CV 305 WHA

George Rhodes

August 23, 2006

Susan Russ Walker  
United States Magistrate Judge  
United States District Court  
P.O. Box 711  
Montgomery, Al 36101-0711

Honorable Susan Walker:

Please understand that I made a few attempts to have my personal injury claim handled by two separate law firms in the area without very much success.

However, I will put forth the initiative to the best of my ability in a diligent effort to give a response to the Defendants' special report and answer. Lets begin by pointing out the fact that the Defendants' attorney immediately presents the argument of the Defendants' lacking personal knowledge or information sufficient to form a belief to the truth of averment.

When I was booked into Houston County Jail, every single person is stripped searched during the intake process and the correction officer would have taken notice of a huge, swollen mass-like area in the right femur. Therefore, causing great alarm that I had a physical deformity back in April 2005 that needed to be brought to the attention of the sergeant on duty, this was not the case.

Before the accident, I was able to walk and run up and down the stairs from the top tier in F-Pod without any physical limitations whenever called by a correction officer to sign an Inmate Request Form or the mail list to receive letters.

Enclosed is a medical log that indicates the Defendant's failed to draw blood for lab work to run tests that check for abnormal levels in red blood cells, which is a strong sign of a serious problem that should have been discovered in March as oppose to waiting until June 15, 2006.

Also, there's the issue of inmates being denied pain medications for the simple reason the Defendants' wish to save money by avoiding the purchase of strong narcotics, thus refusing to offer some comfort or relieve to inmates suffering from agonizing pain. The practice of inmates being denied proper medication to eliminate pain instead of prescriptions that only mask the medical condition is clear evidence the Defendants' responsible for running the medical clinic need to be replaced immediately to stop the mistreatment.

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August 23, 2006

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Please understand that many of my written pleas for help to properly deal with the excruciating pain has fallen on deaf ears and completely ignored to the point I began to feel worthless from recognizing the fact that no one placed great value or care on my life.

After my first scheduled visit with Dr. deShazo at UAB Hospital, then the Defendants' overall attitude began to change for the better for I had contact with greater institutions and they feared I would expose the mistreatment taking place within the walls of Houston County Jail.

In my honest opinion, believe the medical clinic in Houston County Jail needs to undergo a **full-scale federal investigation** and certain inmates interviewed because many of them are afraid to speak out for fear of being labeled as whistleblowers. On the other hand, I have no fear because Sarcoma has eaten a big chunk out of many years out of my life, this legal battle is to eliminate one of the unseen huddles that hampers inmates suffering from terminal illnesses to quickly receive the necessary treatment for early detection instead of being put off or ignored in future, which greatly jeopardizes their chances of survival.

Thank you for your time and consideration with regards to this matter.

Sincerely,

George H. Rhodes, Jr.

cc: Gary C. Sherrer  
Sherrer, Jones & Terry, PC.  
File BL0823\_001

Attachments:

April 11, 2006

DARLA SPEIGNER  
Houston County Jail  
901 East Main Street  
Dothan, AL 36301

Dear Ms.

I met with Dr. Banner on the above date to discuss the extent of my right thigh injury, which he termed as "Calcification" or indicated that it was becoming stiff, sore & swollen from calcium build up. Also, to my disappointment was informed that my surgeon will touch it but my present condition is irreversible.

This incident happened on February 11, 2006 & submitted requests when it happened, the problem had not changed & needed x-rays/MRI's in hopes of catching it at an early stage.

Be that as it may, I had no choice but to wait until April 4, 2006 to have x-rays done at Southeastern Alabama Medical Center, then immediately transferred from F8 Bottom bunk to H8 Top bunk disregarding the fact I cannot walk at normal pace or even climb stairs without excruciating pain.

Honestly, I've decided to sleep on the floor in the cell to avoid the added hurt & the of causing further damage or more pain & suffering to myself. Not necessary.

1 of 2

For the record, I have never received  
any type of remark or comment from  
the Clinic or just recently asked for copies  
of both the Medical Authorization documents  
or x-ray results concerning my health.  
Thank you very much for your time  
or consideration relating to this matter.

Sincerely,

David H. Rhodes, Jr.

57322 M8

901 East Main Street

Dothan, AL 36301

2 of 2

cc: File

May 4, 2006

William B. McCarty  
Houston County Jail  
901 E. Main Street  
Dorhan, AL 36301

Dear Mr. McCarty:

Today I was informed that I missed my MRI appointment at Southeast Alabama Medical Center because of being taken to the Houston County Courthouse on May 2, 2006, & sat there all morning for no legitimate reason.

Honestly, it is unacceptable that the Medical Department & Inmate Records does not coordinate a joint effort to avoid a scheduled conflict between court dates & medical appointments.

For the record, this is the second incident where mis-identification has transpired as a direct result of negligence & evidently no course of action is taken to impede the situation, thus I shall exercise the option to protect my health by contacting external agencies for assistance.

Thank you very much.

Sincerely,  
George H. Rhodes Jr.  
cc: File

May 5, 2006

Darla Speigner, CRNP  
Houston County Jail  
901 E. Main Street  
Dothan, AL 36501

Dear Ms. Speigner,

I submitted an Inmate Request Form on 4.24.06 indicating that I was experiencing pain both during the day & night to the point it really became unbearable.

The 10mg Flexaril (muscle relaxer) were no longer working to keep the pain at bay & I wished for stronger pain killers. Unfortunately, I have not received an answer to date from medical & this situation has raised my level of concern.

Psychologically, I've been wrestling with the harsh reality that I will never run or walk at a normal pace again as so many others around me take for granted everyday.

Thank you in advance for your time & consideration with regard to this matter.

Sincerely,

George H. Phares, Jr.

cc: file

## **Medical Log**

Feb 11 Slips and fall in shower @ Houston County Jail and the medical departments' exhibits the failure to take immediate action to ensure a proper diagnosis of my medical condition, thus I was not a high priority and is clearly demonstrated by a (30) day gap of inactivity for the month of March.

Feb 22 Clinic / Nurse Laura measures swollen area -- 61cm

March \*\*\*\*\*

Apr 4 SAMC -- c/o McKeal escorts me for x-ray appointment

Apr 5 Clinic / Meet with Dr. Sam Banner to discuss results of x-ray report.

Apr 25 SAMC -- MRI appointment rescheduled -- equipment failure!

May 2 Court -- MRI appointment missed due to mis-identification with another inmate that has the same name with the exception of middle name. \*\*George Dane Rhodes

May 10 SAMC -- c/o Jones escorts me for MRI appointment for both regular and contrast tests.

May 11 Clinic / Dr. Sam Banner states the injury may be Hematoma (Blood Clot) or Growth, than he prescribes Ultram w/ Tylenol and that medication did not stop the pain at all.

May 17 Flowers Hospital -- Dr. Granger viewed MRI report and decided against a biopsy but recommends a CT guided biopsy.

June 15 Clinic / 1<sup>st</sup> Lab work and Vicoden 5/500 prescribed.



- June 19 HCJ/2:00 pm c/o Rogers calls me to the intercom and asked if I could bond out with \$1,000 cash before the whole entire M-pod.
- June 19 Clinic / 8:00 pm Nurse Laura transfers me to clinic for next day CT guided biopsy appointment @ UAB Hospital
- June 20 UAB – c/o Jones and Munn escorts me to The Kirklin Center to be examined by Dr. Seagal and Dr. Lopez performs 1<sup>st</sup> CT guided biopsy. My vitals were checked upon returning and I ran a fever, than placed in Docket for overnight observation.
- June 22 HCJ/ c/o Moore escorts me to SAMC for a CT of Head and Chest to check if cancer has spread.
- June 23 HCJ/ 10:00 am c/o Moore tells Elijah Brown and I to switch bunks.
- June 22 Clinic / Nurse Speigner explains that I have a cancer called Sarcoma that spread from right femur to both lungs. Also, I was allowed to see my sister Dawn and we spoke at length about my medical condition and how it will affect the family.
- June 27 Clinic / Dr. Sam Banner was not able to give me information as to what type of Sarcoma and explained he was waiting on pathology report from the UAB Hospital.
- June 29 SAMC / c/o Munn escorts me to 10:30 am Radioactive Dye Injection. c/o Gaf escorts me to 2:00 pm Whole Body Bone Scan. c/o Richards escorts me back to Houston County Jail.
- July 7 Clinic / Nurse Laura collects blood sample to test for Hepatitis A – B – C and HIV.
- July 11 UAB / 2<sup>nd</sup> CT guided biopsy for specific type of Sarcoma cancer.
- July 14 UAB / Meet w/ Dr. Mollie deShazo to discuss immediate course of action for cancer treatment to avert further spreading of Sarcoma located in right femur and lungs.



- July 19 UAB / c/o Caine escorts me to Admissions @ UAB Hospital and wrote down my room number.  
Met w/ Sherry Snow, Nurse Practitioner to discuss medical history and viewed tumor in right femur.
- July 20 UAB / Met w/ Dr. Bellam, stated I will get 2 pints of blood before starting chemotherapy.
- July 21 UAB / 3:15 am Chemotherapy --- phase one  
1<sup>st</sup>: Doxorubicin  
2<sup>nd</sup>: Cisplatin  
  
4:45 pm Chemotherapy --- phase two  
1<sup>st</sup>: Doxorubicin  
2<sup>nd</sup>: Cisplatin
- July 25 HCJ / Thompson Bailed out of jail on \$3,000 bond
- July 27 SAMC / I had a high-grade fever and went to the emergency room. Dr. Mohsin Syed had admitted me because blood cultures shown low white blood count.
- July 31 SAMC / Discharged after white blood count increased to 5200 and antibiotics for lymph nodes in throat got better.
- Aug 4 Home / I went to urinate at approximately 9:45am and then out of the blue started vomiting.
- Aug 9 – 10 UAB / I started the 2<sup>nd</sup> chemotherapy session and returned home.
- Aug 21 SAMC / Discharged after diagnosis with Thrush, is a Candida (yeast) infection of the mouth. It is an overgrowth of germs that are normally present in the mouth and may be related to temporary lowered state of resistance. It occurs more often in bottle-fed infants and when taking on strong antibiotics.